

HOUSE BILL NO. 18

**Submitted by the Office of Court Administrator
January 8, 2007**

- State policy requires a state employee who has incurred travel costs (mileage, meals, lodging) while traveling on state business to submit a travel expense voucher within 3 months after incurring the expenses.
- State law, however, provides that when a District Court judge from a multi-county judicial district travels to a county in his or her district other than the county in which the judge resides, the judge must file a travel expense voucher on the first of the month or within 3 days thereafter (3-5-216, MCA).
- It is likely that this requirement, which was enacted long before state assumption of district court costs, was an effort to ensure that counties would receive a judge's travel claim in a timely manner.
- Since state assumption of district court costs, it is unnecessary to require certain traveling judges to submit expense vouchers on a different schedule than all other Judicial Branch travel claims. Furthermore, managing two submission deadlines is burdensome for both judges and accounting personnel.
- The Office of Court Administrator is requesting legislation to repeal 3-5-216, MCA, which requires a judge from a multi-county judicial district who travels to a county in his or her district other than the county in which the judge resides to file travel expense vouchers on the first of the month or within 3 days thereafter. (A copy of 3-5-216, MCA, appears on the back of this sheet.)

(Over, please)

House Bill No. 18 proposes to repeal the following statute:

3-5-216. Itemized statements -- verification -- filing. (1) On the first of each month or within 3 days thereafter, such district judge who may desire to avail himself of the provisions of 3-5-215 shall make out an itemized claim against the state of Montana showing with dates and particulars his actual and necessary travel expenses for the preceding month.

(2) He shall verify such claim by certifying that the items of the claim are true and correct and are wholly unpaid and that the expenditures therein enumerated were made in the discharge of official business while away from home.

(3) He shall then file such claim with the state to be processed as provided by law.